

IN RE: PETITION FOR ZONING VARIANCE  
SW/S McLean Boulevard, 285' SE  
of c/l of Perring Parkway  
(Hillway Avenue)  
9th Election District  
4th Councilmanic District  
Twelve Knots Ltd. Partnership  
Petitioner

\* BEFORE THE  
\* ZONING COMMISSIONER  
\* OF BALTIMORE COUNTY  
\* Case No. 88-451-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioner herein requests a variance to permit six other business signs of 376 sq.ft. total in lieu of the permitted three business signs of 100 sq.ft. total; and additionally, to permit 27 parking spaces in lieu of the required 57 spaces, as more particularly described in Petitioner's Exhibit 1.

The Petitioner appeared, testified, and was represented by Counsel, Jeffrey F. Higdon, Esquire. Also appearing on behalf of the Petitioner were: George E. Gavrelis, Daft-McCune-Walker, Inc.; Michael W. Savage, C. M. & D. Foods, Inc.; Dan R. Crum, Kentucky Fried Chicken; T. Brian Haigley, Marriott Corporation; and Jonathan Clapp, Partners Real Estate Company. There were no Protestants.

Subsequent to the hearing, and based upon comments submitted by the Department of Public Works, Bureau of Traffic Engineering dated March 31, 1988, the Petitioner revised the site plan to reflect a modified entrance and a reduction in the size of the sign variances requested. The newly revised site plan is identified herein as Petitioner's Exhibit A.

Based upon the testimony and evidence presented at the hearing, all of which was uncontradicted, in the opinion of the Zoning Commissioner the relief requested sufficiently complies with the requirements of Section 307 of the Baltimore County Zoning Regulations (B.C.Z.R.) and,

therefore, should be granted. There is no evidence in the record that the requested variances would adversely affect the health, safety, and/or general welfare of the public. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioner.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the requested variances as hereinafter modified should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 18th day of July, 1988 that the Petition for Zoning Variance to permit six other business signs of 376 sq.ft. total in lieu of the permitted three business signs of 100 sq.ft. total; and additionally, to permit 27 parking spaces in lieu of the required 57 spaces, in accordance with the revised site plan identified as Petitioner's Exhibit A, be and is hereby GRANTED, subject, however, to the following restrictions:

- 1) The Petitioner may apply for his sign permits and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at his own risk until such time as the applicable appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.
- 2) Petitioner shall proceed with this project in accordance with the plans as set forth in Petitioner's Exhibit A. Specifically, compliance with the Department of Traffic Engineering requirements.
- 3) The variances granted herein are limited to the plans as set forth in the revised site plan dated May 2, 1988 identified herein as Petitioner's Exhibit A.

J. Robert Haines  
Zoning Commissioner  
for Baltimore County

JRH:bjs

-2-

Baltimore County  
Zoning Commissioner  
Office of Planning & Zoning  
Towson, Maryland 21204  
494-3333

J. Robert Haines  
Zoning Commissioner

July 18, 1988

Jeffrey F. Higdon, Esquire  
114 E. Lexington Street, Suite 501  
Baltimore, Maryland 21202

RE: PETITION FOR ZONING VARIANCE  
SW/S McLean Boulevard, 285' SE of the c/l of Perring Parkway  
(Hillway Avenue)  
9th Election District; 4th Councilmanic District  
Case No. 88-451-A

Dear Mr. Higdon:

Enclosed please find the decision rendered on the above-referenced case. The Petition for Zoning Variance has been granted in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 494-3391.

Very truly yours,

J. ROBERT HAINES  
Zoning Commissioner  
for Baltimore County

JRH:bjs  
Enclosure  
cc: Mr. Michael Savage  
C. M. & D., Inc., 9719 Mendoza Road, Randallstown, Md. 21133  
People's Counsel  
File



Dennis F. Rasmussen  
County Executive

PETITION FOR ZONING VARIANCE  
TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY: 88-451-A

The undersigned, legal owner(s) of the property situated in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 413.2.f. to permit six other business signs instead of the allowed three and a total square footage of 376.2 square feet instead of the allowed 100 square feet, and from Section 499.2(1) b1 to permit 27 parking spaces in lieu of the required 57 spaces, as more particularly described in Petitioner's Exhibit 1.

The undersigned, legal owner(s) of the property, hereby certifies that the following reasons (Indicate hardship or practical difficulty) for the requested variance are:

See attached sheet.

advertised as prescribed by Zoning Regulations.

above Variance advertising, posting, etc. upon filing of this to be bound by the zoning regulations and restrictions of the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Legal Owner(s):

TWELVE KNOTS LIMITED PARTNERSHIP

(Type or Print Name)

Signature

(Type or Print Name)

Signature

(Type or Print Name)

Signature

(Type or Print Name)

Signature

(Type or Print Name)

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Signature

(Type or Print Name)



NOTICE OF HEARING  
The Zoning Commission of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland as follows:

Office of  
**PATUXENT**  
Publishing Company  
10750 Little Patuxent Pkwy.  
Columbia, MD 21044

April 20 19 88

THIS IS TO CERTIFY, that the annexed advertisement of  
NOTICE OF HEARING  
was inserted in the following:  
☐ Catonsville Times ☐ Booster Weekly  
☐ Arbutus Times ☐ Owings Mills Flier  
☐ Reporter Weekly ☐ Towson Flier \$23.31

weekly newspapers published in Baltimore County, Maryland  
once a week for \_\_\_\_\_ and \_\_\_\_\_ successive weeks before  
the \_\_\_\_\_ day of \_\_\_\_\_ 1988, that is to  
say, the same was inserted in the issues of

April 14, 1988

PATUXENT PUBLISHING COMPANY  
By \_\_\_\_\_

88-451-A

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING  
County Office Building  
111 W. Chesapeake Avenue  
Towson, Maryland 21204

Your petition has been received and accepted for filing this  
\_\_\_\_\_ day of \_\_\_\_\_, 1988.

**J. Robert Haines**  
ZONING COMMISSIONER

Petitioner: **Twelve Knotts Ltd.**  
Petitioner's Representative: **James F. Dyer**  
Attorney: **Jeffrey H. Higdon**  
Chairman, Zoning Plans  
Advisory Committee

Baltimore County  
Fire Department  
Towson, Maryland 21204-2586  
494-4500

Paul H. Reincke  
Chief

J. Robert Haines  
Zoning Commissioner  
Office of Planning and Zoning  
Baltimore County Office Building  
Towson, MD 21204

March 2, 1988

Re: Property Owner: Twelve Knotts Ltd. Partnership  
Location: SW/S McLean Blvd. (Hillway Ave.) 285' SE of the c/l of  
Perring Pkwy.  
Item No.: 301 Zoning Agenda: Meeting of 3/1/88

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this  
Bureau and the comments below marked with an "X" are applicable and required  
to be corrected or incorporated into the final plans for the property.

( ) 1. Fire hydrants for the referenced property are required and shall be  
located at intervals of \_\_\_\_\_ feet along an approved road in accor-  
dance with Baltimore County Standards as published by the Department  
of Public Works.

( ) 2. A second means of vehicle access is required for the site.

( ) 3. The vehicle dead end condition shown at \_\_\_\_\_  
EXCEEDS the maximum allowed by the Fire Department.

( ) 4. The site shall be made to comply with all applicable parts of the  
Fire Prevention Code prior to occupancy or beginning of operation.

( ) 5. The buildings and structures existing or proposed on the site shall  
comply with all applicable requirements of the National Fire Pro-  
tection Association Standard No. 101 "Life Safety Code," 1976 edition  
prior to occupancy.

( ) 6. Site plans are approved, as drawn.

(x) 7. The Fire Prevention Bureau has no comments at this time.

REVIEWER: **John F. O'Neill** Noted and Approved: \_\_\_\_\_  
Planning Group Fire Prevention Bureau  
Special Inspection Division

/s/

CERTIFICATE OF POSTING  
ZONING DEPARTMENT OF BALTIMORE COUNTY  
Towson, Maryland

District: **9th**  
Posted for: **Variance**  
Petitioner: **Twelve Knotts Ltd. Partnership**  
Location of property: **SW/S McLean Blvd., 285' SE of Perring Pkwy.**  
Location of signs: **Along McLean Blvd. 285' SE of Perring Pkwy.**  
Remarks: **On property of Petitioner**  
Posted by: **Jeffrey H. Higdon**  
Number of Signs: **1**  
Date of return: **4/14/88**

"DUPLICATE"  
CERTIFICATE OF PUBLICATION  
TOWSON, MD, \_\_\_\_\_ April 14, 1988

THIS IS TO CERTIFY, that the annexed advertisement was  
published in THE JEFFERSONIAN, a weekly newspaper printed  
and published in Towson, Baltimore County, Md., appearing on  
\_\_\_\_\_ April 14, 1988.

THE JEFFERSONIAN,  
**Susan Seider Obrecht**  
Publisher

137.50

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE  
April 25, 1988

COUNTY OFFICE BLDG.  
111 W. Chesapeake Ave.  
Towson, Maryland 21204

MEMBERS  
Bureau of Engineering  
Department of Traffic Engineering  
State Roads Commission  
Bureau of Fire Prevention  
Health Department  
Project Planning  
Building Department  
Board of Education  
Zoning Administration  
Industrial Development

Jeffrey H. Higdon, Esquire  
114 E. Lexington Street, Suite 501  
Baltimore, Maryland 21202

RE: Item No. 301 - Case No. 88-451-A  
Petitioner: Twelve Knotts Limited Partnership  
Petition for Zoning Variance

Dear Mr. Higdon:

The Zoning Plans Advisory Committee has reviewed the plans  
submitted with the above referenced petition. The following  
comments are not intended to indicate the appropriateness of the  
zoning action requested, but to assure that all parties are made  
aware of plans or problems with regard to the development plans  
that may have a bearing on this case. Director of Planning may  
file a written report with the Zoning Commissioner with  
recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the  
Committee at this time that offer or request information on your  
petition. If similar comments from the remaining members are  
received, I will forward them to you. Otherwise, any comment  
that is not informative will be placed in the hearing file. This  
petition was accepted for filing on the date of the enclosed  
filing certificate and a hearing scheduled accordingly.

Very truly yours,  
**James E. Dyer**  
JAMES E. DYER  
Chairman  
Zoning Plans Advisory Committee

JED:dt  
Enclosures  
cc: Daft, McCune, Walker Inc.  
200 E. Pennsylvania Ave.  
Towson, Maryland 21204

RE: PETITION FOR VARIANCES  
W/S McLean Blvd. (Hillway Ave.)  
285' SE C/L Perring Parkway,  
9th District  
TWELVE KNOTTS LTD. PARTNERSHIP,  
Petitioner

BEFORE THE ZONING COMMISSIONER  
OF BALTIMORE COUNTY  
Case No. 88-451-A

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-  
captioned matter. Notices should be sent of any hearing dates or other  
proceedings in this matter and of the passage of any preliminary or  
final Order.

**Phyllis Cole Friedman**  
Phyllis Cole Friedman  
People's Counsel for Baltimore County

**Peter Max Zimmerman**  
Peter Max Zimmerman  
Deputy People's Counsel  
Room 223, Court House  
Towson, Maryland 21204  
494-2188

I HEREBY CERTIFY that on this 12th day of April, 1988, a copy  
of the foregoing Entry of Appearance was mailed to Jeffrey F. Higdon, Esquire,  
114 E. Lexington St., Suite 501, Baltimore, MD 21202, Petitioner's Attorney.

**Peter Max Zimmerman**  
Peter Max Zimmerman

Maryland Department of Transportation  
State Highway Administration

Richard H. Trainor  
Secretary  
Hal Kassoff  
Administrator

March 2, 1988

Mr. J. Robert Haines  
Zoning Commissioner  
County Office Building  
Towson, Maryland 21204

Attention: Mr. James Dyer

RE: Baltimore County  
K.F.C. Conversion  
ZAC Meeting of 3-1-88  
E/S Perring Parkway  
Maryland Route 41  
# S/E Corner of McLean Blvd.  
(Item #301)

Dear Mr. Dyer:

After reviewing the submittal for a variance to permit  
six business signs instead of the allowed three and to permit  
27 parking spaces in lieu of the required 57, the State Highway  
Administration - Bureau of Engineering finds the plan generally  
acceptable.

If you have any questions, please contact Larry Brocato  
of this office.

Very truly yours,  
**Christian J. Mills, Jr.**  
Acting Chief  
Bureau of Engineering  
Access Permits

LB:maw  
cc: Daft, McCune & Walker, Inc.

My telephone number is (301) 333-1350

Teletypewriter for Immediate Hearing or Speech  
333-7555 Baltimore Metro - 565-0431 D.C. Metro - 1-800-482-5082 Statewide Toll Free  
707 North Calvert St., Baltimore, Maryland 21202-0717

Baltimore County  
Zoning Commission  
Office of Planning & Zoning  
Towson, Maryland 21204  
494-3333

J. Robert Haines  
Zoning Commissioner

March 18, 1988

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act  
and Regulations of Baltimore County will hold a public hearing on the property  
identified herein in Room 106 of the County Office Building, located at 111  
W. Chesapeake Avenue in Towson, Maryland as follows:

Petition for Zoning Variance  
Case Number: 88-451-A  
W/S McLean Blvd. (Hillway Ave.), 285' SE of Perring Parkway  
9th Election District - 4th Councilmanic District  
Petitioner(s): Twelve Knotts Ltd. Partnership  
HEARING SCHEDULED: FRIDAY, MAY 6, 1988 at 9:00 a.m.

Variance to permit six other business signs instead of the allowed three  
and a total square footage of 376.2 sq. ft. instead of the allowed 100 sq.  
ft.; and to permit 27 parking spaces in lieu of the required 57.

In the event that this Petition is granted, a building permit may be issued  
within the thirty (30) day appeal period. The Zoning Commissioner will, however,  
entertain any request for a stay of the issuance of said permit during this  
period for good cause shown. Such request must be in writing and received in  
this office by the date of the hearing set above or presented at the hearing.

J. ROBERT HAINES  
Zoning Commissioner  
Baltimore County

cc: **Michael Savage/C.M.A.D. Inc.**  
**Patricia K. Smyth/Twelve Knotts Limited Partnership**  
**Jeffrey F. Higdon, Esq.**  
File

Baltimore County  
Department of Public Works  
Bureau of Traffic Engineering  
Courts Building, Suite 405  
Towson, Maryland 21204  
494-3354

RECEIVED  
APR 7 1988  
ZONING OFFICE

March 31, 1988

Mr. J. Robert Haines  
Zoning Commissioner  
County Office Building  
Towson, Maryland 21204

Item No. 301 - ZAC -  
Property Owner: Twelve Knotts Ltd., Partnership  
Location: SW/S McLean Blvd. (Hillway Ave.) 285'  
SE of the c/l of Perring Parkway  
Existing Zoning: BM-CSA  
Proposed Zoning: Variance to permit six other business  
signs instead of the allowed three and  
a total square footage of 376.2 sq. ft.  
instead of the allowed 100 sq. ft.; and  
to permit 27 parking spaces in lieu of  
the required 57.  
Area: 0.61 acre  
District: 9th Election District

Dear Mr. Haines:

The entrance to this site from McLean Boulevard (attachment I)  
falls to provide sufficient clearance for a Pa design vehicle  
(attachment II). Please see attachment III.

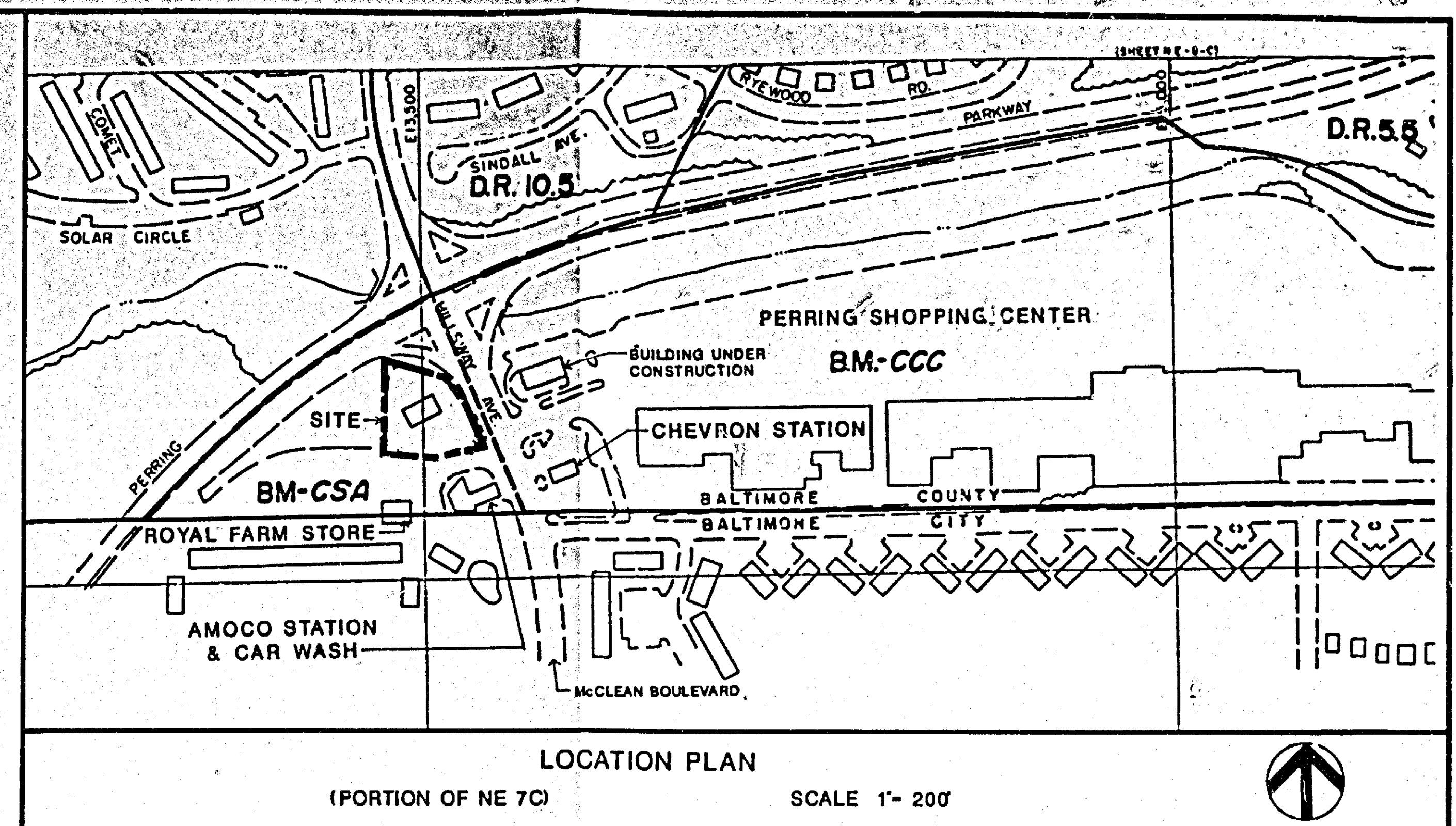
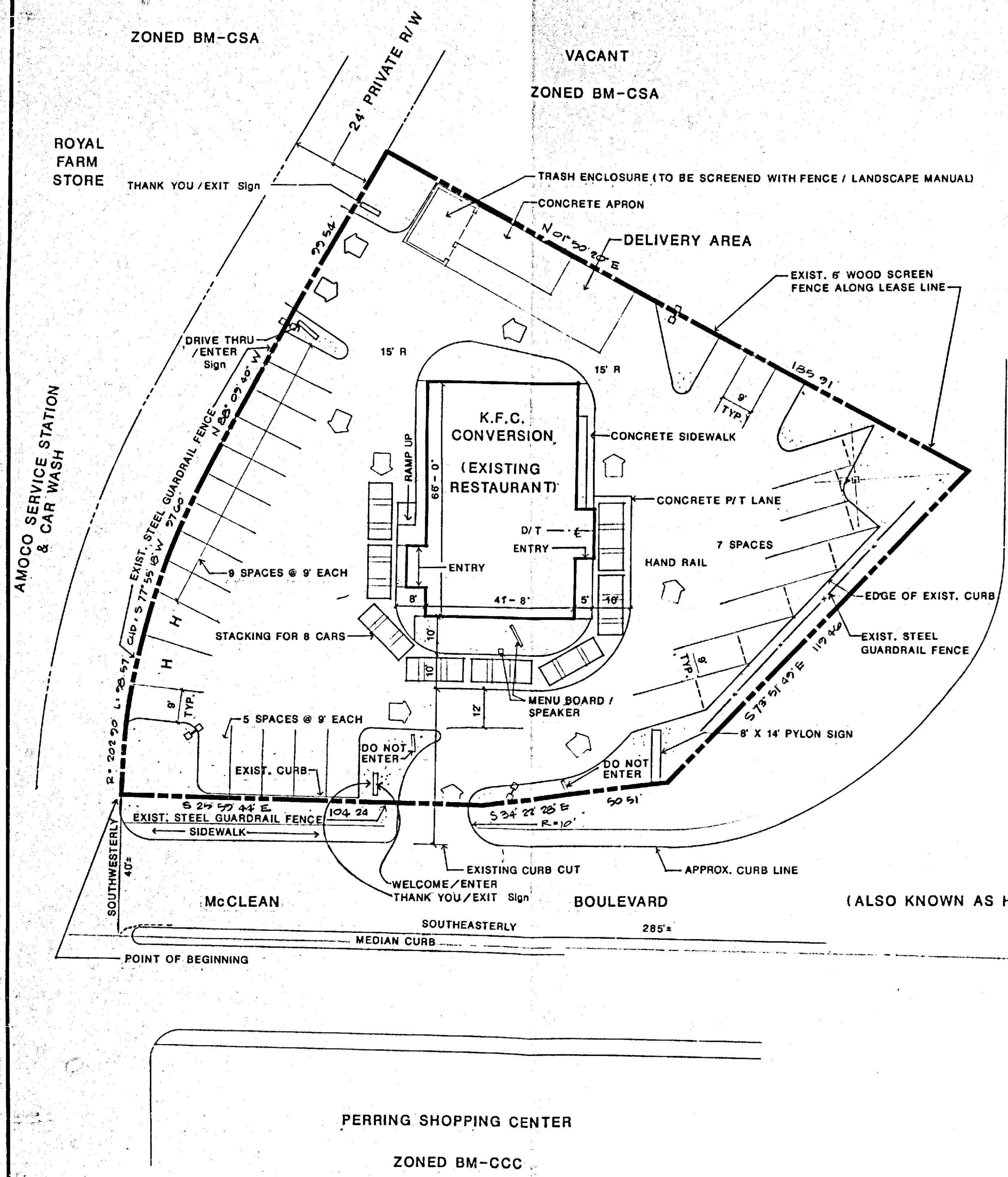
Very truly yours,  
**Michael S. Flanagan**  
Michael S. Flanagan  
Traffic Engineer Associate II

MSF/pel-b









**KFC Conversion**  
**General Notes**

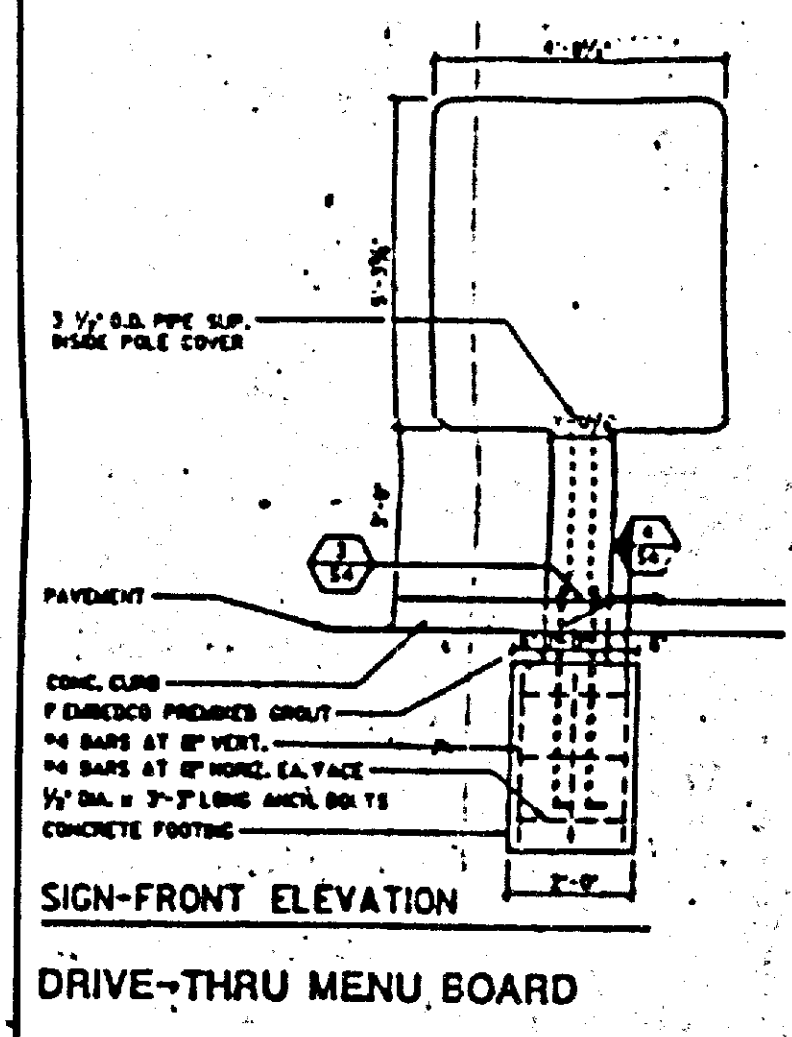
- 9th Election District, 6th County Council District, Baltimore County, Maryland
- All site lighting is as shown and will be arranged to not reflect or shine upon residential premises.
- Off-Street Parking
  - a. Gross Floor Area = 2,820 SF
  - b. Required Parking = 57 spaces (1/50 SF)
  - c. Parking Provided = 27
  - d. Variance requested to permit 27 instead of the 57 off-street parking required by Section 409.2b(3)
  - e. Stack-spaces are as shown and are in accordance with policies by the Bureau of Traffic Engineering.
  - f. Parking space dimensions are as shown. Minimum space is 9' x 18'.
  - g. Paving is an existing bituminous surface.
  - h. Parking areas are screened in accordance with applicable requirements when previous uses were built.
  - i. The relocated trash area will be screened in accord with the fencing requirements of the adopted Landscape Manual.
- There are no streams or drainage courses in or within 50 feet of the subject site.
- Signs - New signs are as shown. Their areas are summarized as follows:
 

a. Pylon Sign		
KFC Logo	63.9 SF/Face	127.8 SF Total
Breakfast Strip	9.2 SF/Face	18.4 SF Total
Total	73.1 SF/Face	146.2 SF Total

- Directional Signs (3)
 

Per Face	7.1 SF/Face
2 Faces/Sign	14.2 SF/Sign
3 Signs	42.6 SF Total
  - Menu Board
 

One Face	25 SF Total
----------	-------------
- Total Requested Sign Area = 213.8 SF  
All of the requested signs are internally lighted.
- The site and existing restaurant are served by public water and sewer; the location of the connections are unchanged.
  - Area of Lot = 0.61 Ac.
  - Deed Reference - Part, G.L.B. 2541, Folio 322



**PETITIONER'S EXHIBIT A**

**DRIVE THRU Enter**

**THANK YOU Exit**

**WELCOME Enter**

**Kentucky Fried Chicken**

**DRIVE-THRU**

**MAIN I.D. SIGN**

**Sign Details**  
Not to Scale

**DAFT - McCUNE - WALKER INC.**  
LAND PLANNING CONSULTANTS  
LANDSCAPE ARCHITECTS  
ENGINEERS & SURVEYORS  
200 E. PENNSYLVANIA AVE.  
TOWSON, MD. 21204  
TELEPHONE: (301) 298-3333

**PLAN & PLAT TO ACCOMPANY ZONING PETITION**  
**K.F.C. CONVERSION**  
**MCCLEAN BLVD.**

**PRINTED**  
MAY 16 1988  
DAFT-McCUNE-WALKER, INC.

DATE	REVISIONS
5/12/88	Entrance from McClean Boulevard modified per meeting with Area Justice, Bureau of Traffic Engineering
5/16/88	Revise signs and parking spaces
5/16/88	Revise Pylon and Total Requested Sign Area
5/17/88	Revise Sign Areas

**SCALE:**  
1" = 20'

**JOB ORDER NO.**  
87166

**ISSUE DATE**  
2/17/88

**SEAL OF BALTIMORE COUNTY**

**PARKING SPACES**  
REGULAR - 25  
HANDICAP - 2  
TOTAL - 27







